

UNITED STATES DISTRICT COURT

for the

Eastern District of Arkansas

United States of America
v.
JAMES ZANTREECE AUSTIN

Date of Previous Judgment: 03/06/2000
(Use Date of Last Amended Judgment if Applicable)

)
)
) Case No: 4:97-cr-00199-16 GTE
) USM No: 21404-009
) Jack Kearney
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 09/22/1999 months **is reduced to** 143 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: <u>31</u>	Amended Offense Level: <u>29</u>
Criminal History Category: <u>V</u>	Criminal History Category: <u>V</u>
Previous Guideline Range: <u>168</u> to <u>210</u> months	Amended Guideline Range: <u>140</u> to <u>175</u> months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 09/22/1999 shall remain in effect.

IT IS SO ORDERED.

Order Date: 03/25/2008

Garnett Thomas Eisele
Judge's signature

Effective Date: _____
(if different from order date)

G. Thomas Eisele, Sr. District Judge
Printed name and title